

**Notice of Allowability**

Application No.

10/532,102

Examiner

Nicholas Woodall

Applicant(s)

NIELSEN, POUL TORBEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/31/2007.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

EDUARDO C. ROBERT  
SUPERVISORY PATENT EXAMINER

### **DETAILED ACTION**

1. This action is in response to applicant's amendment received on 07/31/2007.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Wray on September 11<sup>th</sup>, 2007.

The application has been amended as follows:

3. Claim 13 line 4 has been amended as follows, ...preferably between 50 mm and 70 mm has been removed.
4. Claim 14 is being added as follows, Measuring instrument according to claim 13, wherein the diameter of the measuring head in a neutral position can preferably vary between 50 mm and 70 mm.

### ***Allowable Subject Matter***

5. The following is an examiner's statement of reasons for allowance:
6. Claim 1 of the instant application has not been rejected using prior art because no references, or reasonable combination thereof, could be found which disclose or suggest a measuring instrument comprising an adapter including a measuring head and a connector, where the measuring head is provided with a largely hemispherical surface hi which there is a central through-going bore, where the measuring head is divided into

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at least two separate sections, where the connector is hollow and slotted at one end in axial direction of the measuring head into a number of legs, the number of legs corresponding to the number of the at least two separate sections of the measuring head, where the legs of the connector are each connected to one of the at least two sections of the measuring head on the rear side of the hemisphere, where a securing arrangement is provided at the opposite end of the connector relative to the connection to the measuring head, a measuring unit including a actuating rod, where a main part has a conical shape that can interact displaceably axially with the central bore of the adapter and thereby change the diameter of the measuring head of the adapter, a mounting ring where means for engaging the securing arrangement of the adapter are provided, where the mounting ring is connected with a handle member, where in connection with the handle member there is provided means for axial displacement of the actuation rod and registration of the relative displacement of the actuation rod relative to the measuring head, and a depth gauge including a first part, which is preferably a smooth rod, and a second part with stop and measurement indications, where the depth gauge is provided for interacting with a through-going opening in the axial direction of the measuring instrument.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Woodall whose telephone number is 571-272-5204. The examiner can normally be reached on Monday to Friday 8:00 to 5:30 EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eduardo Robert can be reached on 571-272-4719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NWWW

  
EDUARDO C. ROBERT  
SUPERVISOR, PATENT EXAMINER